

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1379 OF 2002.

IN

FIRST APPEAL NO.1116 OF 2003.

.....
Office notes, office
memoranda of Coram,
appearances, Court's Court's or Judge's orders.
orders or directions
and Registrar's orders.
.....

Shri B.H.Mehta, A.G.P for the State.
Shri G.K.Morya i/by Ms Pallavi Potnis for the
Respondents.

CORAM : ABHAY S.OKA, J.
DATED : 05th December, 2007.

P.C.:

1. Heard the learned A.G.P for the applicant.
The impugned judgment and award has been passed on
16th March, 1999 and till today there is no
ad-interim or interim relief of stay granted in
favour of the applicant. Moreover, enhancement in
market value granted in favour of the respondents
is only in the sum of Rs.1,358/-. Considering
these peculiar facts, no case is made out for grant
of stay. The application is rejected. It is
however made clear that if the claimants withdraw
the compensation amount, the withdrawal will be
naturally subject to final outcome of the appeal.

JUDGE